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## AMENDMENTS TO THE CLAIMS

The following Listing of Claims shall replace any prior listing of claims. No new matter has been added.

Listing of Claims

1. (Canceled)

2. (Currently Amended) A biological formulation ~~containing the~~ comprising: a strain of claim 1 or cell free filtrates of its culture broth *Paenibacillus polymyxa* HY96-2 and culture broth of said strain, wherein said strain has been deposited at China General Microbiological Culture Collection Center (CGMCC) on October 31, 2002, under accession number CGMCC No. 0829, wherein said formulation further contains carriers selected from rice chaff powder, cornstalk powder, peatmoss, calcium carbonate powder, talcum powder, attapulgite clay and diatomite or their mixtures.

3-4. (Canceled)

5. (Currently Amended) The biological formulation of claim ~~[[4]]~~ 2, ~~containing further comprising~~ a carrier selected from rice chaff powder, attapulgite clay and cornstalk powder.

6. (Currently Amended) The biological formulation of claim ~~[[5]]~~ 2, ~~containing further comprising~~ 3~16% (w/w) water.

7. (Original) A method of inhibiting bacterial wilt providing a procedure of applying the formulation of claim 2 to the surroundings of plant roots infected with bacterial wilt.

8. (Original) The method of claim 7 wherein said plants are selected from a group of tomato, green pepper, egg plant, and tobacco.

9. (Original) The formulation of claim 2 wherein said formulation is effective in inhibiting plant diseases including seedling Rhizoctonia, damping off (*Pythium aphanidermatum*) , tomato *Fusarium* wilt, eggplant *Fusarium* wilt, cucumber *Fusarium* wilt, Tobacco brown leaf spot (*Alternaria alternata*) and Soybean *Fusarium* root rot (*Fusarium orthoceras*).

10. (Original) The formulation of claim 2 wherein said formulation is effective in promoting cell growth and plant yields.

11. (New) The biological formulation of claim 5, further comprising 3~16% (w/w) water.